

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: September 13, 2007 Name: John C. Freeman, Esq. Signature: [Signature]

**BRINKS
HOFFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appn. of: **Andreas Hager et al.**

Appn. No.: **10/565,708**

Filed: **January 24, 2006**

For: **POSITION MEASURING SYSTEM**

Docket No: **56/446**

Examiner: **Guadalupe, Yaritza**

Art Unit: **2859**

Conf. No.: **7927**

TRANSMITTAL

Mail Stop Issue Fee
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached is/are:

- ☒ Issue Fee Transmittal (in duplicate), Deposit Account No. 23-1925 Charge of \$1,700.00, Response to Notice of Allowance.
- ☒ Return Receipt Postcard.

Fee Calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

		Small Entity		Not a Small Entity	
	Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee
Total	Minus			x \$25=	
Indep.	Minus			x 100=	
First Presentation of Multiple Dep. Claim				+\$180=	
				Total	\$

Fee Payment:

- ☐ A check in the amount of \$_____ is enclosed.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ Please charge Deposit Account No. 23-1925 in the amount of \$1,700.00 which includes \$1,400.00 for the issue fee and \$300.00 for the publication fee. A copy of this Transmittal is enclosed for this purpose.
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925. A copy of this Transmittal is enclosed for this purpose.

Respectfully submitted,

[Signature]
John C. Freeman, Esq. (Reg. No. 34,483)

September 13, 2007
Date

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Name of Registered Representative:

John C. Freeman, Reg. No. 34,483

September 13, 2007
Date of Signature

**PATENT
CASE NO. 56/446**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application:)
)
Andreas Hager et al.)
) Group Art Unit: 2859
)
International Patent Application)
No. PCT/EP2005/003586)
)
International Filing)
Date: April 6, 2005)
) Confirmation No.: 7927
U.S. Patent Application)
Serial No.: 10/565,708)
)
Filed: January 24, 2006)
) Examiner: Guadalupe, Yaritza
)
For: POSITION MEASURING)
SYSTEM)

RESPONSE TO NOTICE OF ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

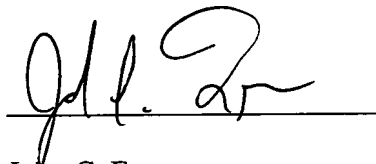
Dear Sir:

On June 20, 2007, a Notice of Allowance was mailed regarding the above-mentioned

application. The Notice of Allowance presented a statement of reasons for the allowance of the claims. Applicants traverse the statement for several reasons. First, it refers to elements not recited in the claim. For example, claim 31 does not recite a fluidic cylinder and piston arrangement as mentioned in the statement. Of course, claim 31 could cover systems that include a fluidic cylinder and piston arrangement.

The statement is traversed for the additional reason that there are broader and other reasons why the claims are allowable over the prior art.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J.C. Freeman', is written over a horizontal line.

John C. Freeman
Registration No. 34,483
Attorney for Applicants

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Dated: September 13, 2007